

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE SPECIAL CLOSED SESSION MEETING REPORT
FOR WEDNESDAY, APRIL 1, 2009
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

REPORTING THE RESULT OF THE CLOSED SESSION MEETING

Only items that can be disclosed are reported out in the Open Session of the regular City Council Meeting. Public comment on Closed Session items are taken in Open Session. Please refer to the City Clerk’s minutes for Open Session for more information. Assistant City Attorney Mary Jo Lanzafame reports the results of the Special Closed Session Meeting of April 1, 2009, as follows:

SPECIAL CLOSED SESSION MEETING FOR WEDNESDAY, APRIL 1, 2009

ROLL CALL:

Present: Mayor Sanders, Council President Hueso, Council President Pro Tem Faulconer, and Councilmembers Lightner, Gloria, Young, DeMaio, Frye, and Emerald

Absent: All Present

CLOSED SESSION ITEMS:

Conference with Labor Negotiator, pursuant to Government Code section 54957.6:

CS-1 Agency negotiators: William Kay, Timothy Davis, Scott Chadwick, Judy von Kalinowski, Thom Harpole, Kim Nguyen, Woo-Jin Shim, Lourdes Silva, Valerie VanDeweghe, Javier Mainar, Brian Fennessy, David Ramirez, Robert Kanaski, Paul Cooper, Jan Goldsmith. Tanya Tomlinson, Joan Dawson, William Gersten, Lori Thacker

Employee organizations: Local 145 International Association of Firefighters AFL-CIO, San Diego Police Officers Association, Municipal Employees Association, AFSCME Local 127 AFL-CIO and Deputy City Attorney Association

DCA Assigned: J. Dawson

Report: Nothing to report

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FOR MONDAY, APRIL 1, 2009

Conference with Legal Counsel - anticipated litigation - initiation of litigation, pursuant to California Government Code section 54956.9(c):

CS-2 Number of Potential Cases: One

DCA: J. Dawson

Motion: Initiate litigation against Police Officers Association only for a judicial determination of whether DROP and purchase of service credits are vested benefits

Moved: Councilmember DeMaio - Dist. 5

Seconded: Councilmember Young - Dist. 4

Vote: 8/0 [Passed Unanimously]

Absent: All Present

Report: The following report out for the above item was posted on the 12th Floor of the City Administration Building, 202 C Street, San Diego, California, on **April 2, 2009:**

On April 1, 2009, the City Council voted in Special Closed Session on Item CS-2, Number of Cases: One. This matter involves whether to initiate litigation between the City and the San Diego Police Officers Association for a judicial determination of whether the Deferred Retirement Option Plan [DROP] and purchase of service credits are vested benefits. The City Council voted unanimously to initiate litigation against the San Diego Police Officers Association.

REPORTED BY: _____/s/_____
Mary Jo Lanza fame
Assistant City Attorney